

County of Marlboro
State of South Carolina

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ORDINANCE # 659

AN ORDINANCE ENACTING AN INFORMATION POLICY FOR THE DEPARTMENTS AND ACTIVITIES UNDER THE JURISDICTION OF MARLBORO COUNTY, SOUTH CAROLINA

WHEREAS, the present general information policy of the political subdivision is inadequately insufficient in form and substance for the complete and efficient administration of the public peace, health, safety and general welfare of the County and for the proper conduct of its affairs; and,

WHEREAS, it is the intent of the Marlboro County Council to promote an open, informed, efficient and responsive government in its management, handling and dissemination of information and requests from the public, and,

WHEREAS, an established procedure is necessary for the efficient and effective compliance with South Carolina Freedom of Information Act, and;

WHEREAS, the release of certain contractual, personnel-related, legal, economic development or other confidential or proprietary information may be detrimental to the public interest of Marlboro County and is specifically excepted from the said Act; and

WHEREAS, the Council desires to establish a concise, coordinated policy for the release of information from departments and activities under their legal jurisdiction, and;

NOW, THEREFORE, BE IT ORDAINED by the County Council, in session duly assembled, that the Ordinances of the County Code is hereby amended, to adopt and incorporate by reference, as if fully set out in this ordinance, the provisions listed below, for use and enforcement within the jurisdiction of the County. These provisions shall be known and referred to collectively as "the Information Policy."

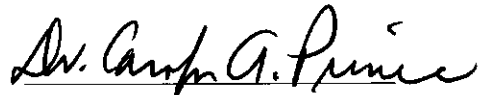
- I. The County Administrator shall be responsible for review and approval for the public release of certain information pertaining to departments and activities under the jurisdiction of the Marlboro County Council.
 - a. This includes information in written, verbal, electronic or other formats released to the news media or the general public.
 - b. Subject information includes but is not limited to legal or contractual issues, economic development projects, personnel issues, or other information.
 - c. "Departments and activities under the jurisdiction of the Marlboro County Council" is to be construed as broadly as possible and includes, but is not limited to, county employees, and Boards and Commissions appointed by Council and their members

and employees.

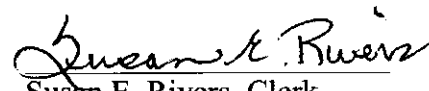
- d. With regards to emergency management situations (e.g. natural disasters, evacuations, fire or rescue operations), the County Administrator may delegate responsibilities to the appropriate departments head or employee.
 - e. Release of information pertaining to the activities of elected officials, other than the County Council will be the responsibility of those respective offices, but a copy of any such public release will be forwarded to the County Administrator as information only.
- II. Information intended for release shall be submitted the County Administrator as soon as possible and no later than seventy two (72) hours prior to planned release, for review and approval. All information submitted to the County Administrator must be reviewed and approved by the appropriate department head prior to submission.
- III. Any requests for information under the Freedom of Information Act (FOI) must be forwarded to the County Administrator for review and response within the guidelines of the applicable law. The County Administrator will coordinate with the appropriate County Department and/or the County Attorney in responding to such requests.
- IV. Such Information Policy shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to file a copy of this Policy in the Office of the Clerk.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision THIS DAY 9th of June, 2009.

(SEAL)


Dr. Carolyn A. Prince, Chair
Marlboro County Council

ATTEST:


Susan E. Rivers, Clerk
Marlboro County Council

First Reading: May 12, 2009
Second Reading: June 1, 2009
Third Reading: June 9, 2009